

# **EXHIBIT 1**

11/13/2024

Richard Kadrey, et al. v. Meta Platforms, Inc.  
Highly Confidential

Michael Patrick Clark 30(b)(6), Vol I &amp; Vol II

Page 1

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

RICHARD KADREY, et al.,	)	
	)	
Individual and Representative	)	Lead Case No.
Plaintiffs,	)	
	)	3:23-cv-03417-VC
v.	)	
	)	
Meta Platforms, Inc.,	)	
	)	
Defendant.	)	
	)	

\*\* H I G H L Y C O N F I D E N T I A L \*\*

30 (b) (6) VIDEOTAPED DEPOSITION OF  
META PLATFORMS, INC.

BY: MICHAEL PATRICK CLARK

Denver, Colorado

VOLUMES I AND II

Wednesday, November 13, 2024

Thursday, November 14, 2024

Reported stenographically by:

Michelle Kirkpatrick, RDR-CRR-CRC-CRI, FCRR

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Page 83

1 Q Okay. And you've just testified that you  
2 don't know what a high-risk IP domain is.

3 MS. HARTNETT: Object to the form.

4 A IP domain is one of the categories on the  
5 document. All of the domains in the high-risk  
6 domains were to be filtered.

7 BY MS. POUEYMIROU:

8 Q Okay. Does "IP" mean intellectual  
9 property?

10 A I would believe so in this context.

11 Q Okay. And then on the next page, under  
12 "Purpose limitation," it says: "Intermediate  
13 versions of data that do not yet have mitigations  
14 applied, e.g., URL block listing, can only be  
15 accessed by the processes that apply mitigations and  
16 not by any other" purpose "or for any other" --  
17 sorry -- "not by any other process or for any other  
18 purpose."

19 What does that mean?

20 A If you download a file, the act of  
21 downloading creates an intermediate version of that  
22 data. That's what you download. That is the

1 downloaded data.

2 Q Uh-huh.

3 A That is what I take that to mean.

4 Q And so what this is saying here is that  
5 Meta has downloaded data that was on a block list?

6 A If, inside a file, like a Common Crawl  
7 text file, there is a domain -- one of the domains  
8 that was in that list was instagram.com.

9 If instagram.com content -- it's part of  
10 the intermediate step, the list of all of the URLs  
11 and the textual content in Common Crawl is refreshed  
12 to go to instagram.com, you would block by  
13 processing that file from going and getting  
14 something from instagram.com.

15 And so, while poorly worded, this makes  
16 sense, that that textual file of lists of URLs and  
17 content shouldn't be used anywhere else until the  
18 data that's intended to be used for processing has  
19 gone through all the appropriate mitigations.

20 Q And why do you say this is poorly worded?

21 A It's confusingly worded for how it's . . .

22 Q Okay. At the bottom, there are deleted

1 list or not.

2 BY MS. POUEYMIROU:

3 Q So rather than whether it is on the block  
4 list -- and we will talk about the block list.

5 But my question is more, it could be on  
6 the block list.

7 Is that correct?

8 MS. HARTNETT: Objection to the form.

9 BY MS. POUEYMIROU:

10 Q Not it could be as in maybe it's on the  
11 block list. It is possible for Meta to take  
12 Library Genesis, Anna's Archive, and any other of  
13 the repositories that are in our topics today and  
14 include it on a block list.

15 Is that possible?

16 MS. HARTNETT: Objection to the form.  
17 Misstates testimony.

18 A To the best of my knowledge,  
19 Library Genesis and Anna's Archive are primarily  
20 distributed through torrent, and there are a variety  
21 of domains, to my understanding, as well. And as  
22 I've said, I do not know if those are.

Page 120

1 Can any domain be added to a block list?

2 Yes.

3 BY MS. POUEYMIROU:

4 Q And so --

5 A Theoretically, yes.

6 BY MS. POUEYMIROU:

7 Q -- to confirm, to the extent we have  
8 evidence showing that Library Genesis can be  
9 distributed not just through torrent but through  
10 normal download, Meta has the ability to include it  
11 on this block list and not crawl it.

12 Is that correct?

13 MS. HARTNETT: Object to the form.

14 A I would want to verify a specific domain  
15 and that it is or is not on the block list in order  
16 to be able to answer that --

17 BY MS. POUEYMIROU:

18 Q Okay.

19 A -- for HTML and HTTP protocols.

20 MS. POUEYMIROU: And I would ask that when  
21 we do our follow-up 30(b)(6) continuation that we  
22 can -- we can look into that and discuss it.

Page 121

1 MS. HARTNETT: Just to make clear on the  
2 record, you want to know -- him to be able to  
3 clarify the nature of those sources, as to whether  
4 they'd be something that could be susceptible of --

5 MS. POUEYMIROU: No, we already have that,  
6 and we will be talking about it.

7 I want you to clarify, Mr. Clark, whether  
8 Meta has added to the block list -- since it knows  
9 that it has obtained self-identifying pirated  
10 material from LibGen before, whether it presently  
11 has on its block list to not crawl LibGen.

12 MS. HARTNETT: But he just said that he's  
13 not sure it can crawl -- it's something that's  
14 crawlable.

15 MS. POUEYMIROU: And we're going to go to  
16 a document that shows how Meta was downloading and  
17 that it's not just torrent. But if you want to  
18 verify that, too, we can do that. Okay.

19 But I want to know what that block list  
20 includes. I want to know if any of the shadow  
21 libraries listed in Topics 1, 2, and 3 appear on  
22 Meta's block list for SpiderMate.

Page 122

1 MS. HARTNETT: Okay. I mean, that's  
2 not -- appreciating that's not specifically in the  
3 Notice, we hear you, and we will try to make him  
4 able to answer that.

5 MS. POUEYMIROU: Okay.

6 So we'll come back to that, then.

7 MS. HARTNETT: Okay.

8 THE WITNESS: Okay.

9 MS. HARTNETT: Also, we just object to the  
10 characterizations, but I understand what you're  
11 asking for.

12 You're asking for the specific datasets on  
13 Topics 1 through 3, whether they are on a block  
14 list.

15 MS. POUEYMIROU: Appear on a block list,  
16 yes.

17 MS. HARTNETT: Okay. Understood.

18 BY MS. POUEYMIROU:

19 Q And has Meta done any other -- has Meta  
20 included other URLs on its block list that it knows  
21 to contain pirated material?

22 MS. HARTNETT: Object to the form.